ORDINANCE NO. 96-38

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED, AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR **96-64 COM 1 (JOG ROAD CORRIDOR STUDY - TRACT C)**, A COUNTY-INITIATED AMENDMENT, MODIFYING PAGE 57 OF THE FLUA BY CHANGING A 76 ACRE TRACT OF LAND (TRACT C) LOCATED AT THE NORTHWEST CORNER OF BELVEDERE AND JOG ROADS FROM LOW RESIDENTIAL 3 (LR-3) TO COMMERCIAL HIGH-OFFICE/3 (CH-O/3); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on April 19, April 26, and May 10, 1996, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on May 20, 1996, to review the recommendations of the Local Planning

Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on August 9, 1996, the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated August 7, 1996, which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, on September 4, 1996, the written comments submitted by the Department of Community Affairs, and the Planning Division's response to the written comments, were distributed to the Palm Beach County Local Planning Agency for review, and to make recommendations regarding adoption of the Comprehensive Plan amendments; and

WHEREAS, on September 26, 1996, the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments as modified satisfy the concerns addressed in the Department of Community Affairs' "Objections, Recommendations and Comments Report" and comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

<u>Part I. Amendment to the Future Land Use Atlas of the Land Use Element of the 1989 Comprehensive Plan</u>

An Amendment to the Land Use Element's Future Land Use Atlas

is hereby adopted and is attached to this Ordinance in Exhibit 1.

A. Future Land Use Atlas page 57 is amended as follows:

Application No.:	96-64 COM 1 (Tract C)
Amendment:	From Low Residential 3 (LR-3) to Commercial High-Office with an underlying Residential 3 (CH-O/3)
General Location:	Northwest corner of Jog and Belvedere Roads
Size:	76 acres.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the Code of Laws and Ordinances

The provision of this Ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever

occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 26 day of September, 1996.

ATTEST:
DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By: Joan Haverly
Deputy Clerk

BY: [signature]
Chair

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

[signature]
COUNTY ATTORNEY

Filed with the Department of State on the 3rd day of October, 1996.

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EXHIBIT 1

Future Land Use Atlas page 57 is amended as follows:

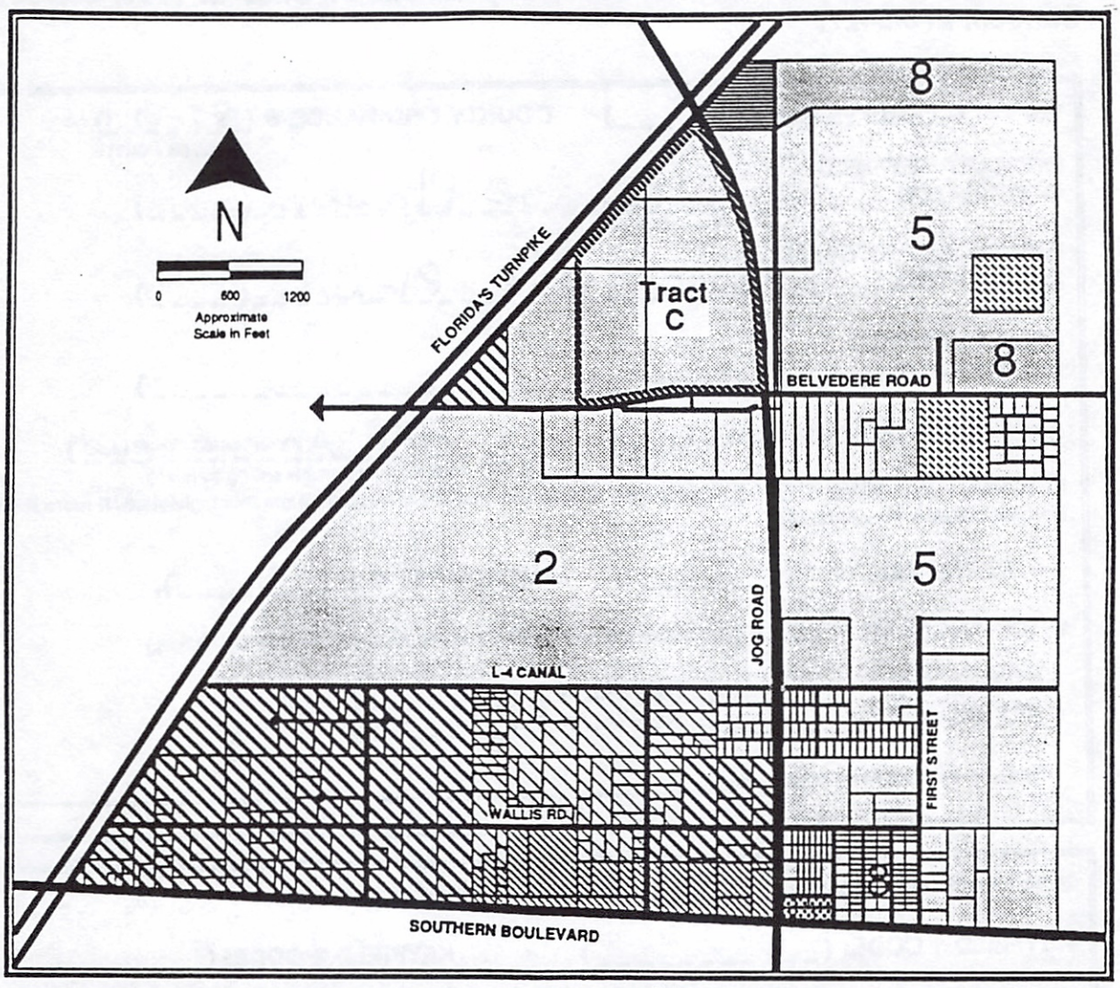
Application No.: 96-64 COM 1 (Tract C)

Amendment: From Low Residential 3 (LR-3) to Commercial High-Office with an underlying Residential 3 (CH-O/3)

General Location: Northwest corner of Jog and Belvedere Roads

Size: 76 acres.

Property Control Number: 00-42-43-27-05-004-0071



Jog Road Corridor Study Amendments

Round 96-1 Amendments to the Future Land Use Atlas

Tract C (Parcel Boundaries)

Palm Beach County Planning Divison 1995

Future Land Use

- Residential (number indicates density)
- Institutional
- Transportation/Utilities
- Commercial Low/Industrial
- Commercial High/Industrial
- Commercial/8
- Industrial

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on 9/26/96
DATED at West Palm Beach, FL on 10/11/96.
DOROTHY H. WILKEN, Clerk
By: Phyllis A. House D.C.

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FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (Palm Beach) COUNTY ORDINANCE # (87-1)
(e.g., 93 - 001)

PRIMARY KEYFIELD DESCRIPTOR: (Comprehensive Planning)

SECONDARY KEYFIELD DESCRIPTOR: (Land Use Planning)

OTHER KEYFIELD DESCRIPTOR: (_____)

ORDINANCE DESCRIPTION: (Land Use MAP Amendment)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by the this legislation. If more than two, list the most recent two.)

AMENDMENT # 1:(_____); AMENDMENT # 2: (_____).

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: (_____); REPEAL # 3: (_____);
REPEAL # 2: (_____); REPEAL # 4: (_____);

(Others repealed:list all that apply): _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER:(__)

KEYFIELD 1 CODE: (_____) KEYFIELD 2 CODE: (_____)

KEYFIELD 3 CODE: (_____) Rev. 6/29/95